

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----  
TAMMY CALLAHAN, representative of  
Kevin Callahan,

Plaintiff,

v.

09-CV-1441

MICHAEL J. ASTRUE, Commissioner of  
Social Security,

Defendant.  
-----

THOMAS J. McAVOY  
United States District Judge

**DECISION and ORDER**

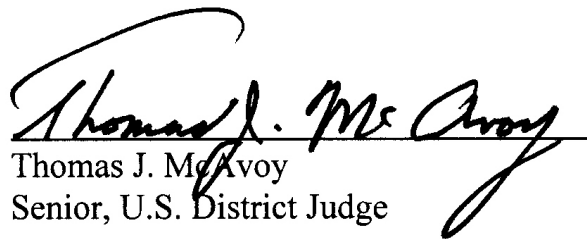
This matter brought pursuant to 42 U.S.C. § 405(g) was referred to the Hon. David R. Homer, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(d).

No objections to the May 5, 2011 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein.

It is therefore **ORDERED** that the Commissioner's decision denying disability benefits be **AFFIRMED**.

IT IS SO ORDERED.

Dated: June 23, 2011



Thomas J. McAvoy  
Senior, U.S. District Judge